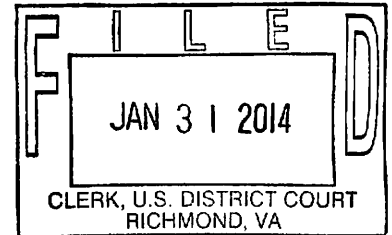


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



LEONARD CARTER, JR.,

Plaintiff,

v.

ANDREW J. WINSTON, *et al.*,

Defendants.

Civil Action No. 3:13CV584-HEH

MEMORANDUM OPINION
(Dismissing Action Without Prejudice)

On October 18, 2013, the Court conditionally docketed Plaintiff's action. Plaintiff requested leave to proceed *in forma pauperis*. By Memorandum Order entered on January 8, 2014, the Court directed Plaintiff to pay an initial partial filing fee of \$3.67 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. *See* 28 U.S.C. § 1915(b)(1). Plaintiff has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Plaintiff is not entitled to proceed *in forma pauperis*. Plaintiff's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be dismissed without prejudice.

The Clerk is directed to send a copy of the Memorandum Opinion to Plaintiff.

It is so ORDERED.

Heck

/s/

HENRY E. HUDSON
UNITED STATES DISTRICT JUDGE

Date: Jan. 31, 2014
Richmond, Virginia